

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:10-CV-419-FL

JAMES E. IVEY,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

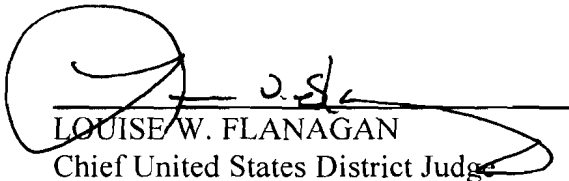
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ORDER

This matter is before the court on the Memorandum and Recommendation ("M&R") of United States Magistrate Judge William A. Webb, regarding the parties' cross-motions for judgment on the pleadings. No objections to the M&R have been filed, and the time within which to make any objection has expired. This matter is ripe for ruling.

The court hereby ADOPTS the recommendation of the magistrate judge as its own, and, for the reasons stated therein, plaintiff's motion is GRANTED, defendant's motion is DENIED, and this matter is REMANDED pursuant to sentence six of 42 U.S.C. § 405(g) to permit an administrative law judge to make additional findings in accordance with the M&R. The clerk of court is directed to close the case.

SO ORDERED, this the 15th day of August, 2011.

  
LOUISE W. FLANAGAN  
Chief United States District Judge